

Calendar No. 681

108TH CONGRESS
2D SESSION**S. 2287****[Report No. 108–325]**

To adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 6, 2004

Ms. LANDRIEU introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

AUGUST 25, 2004

Reported under authority of the order of the Senate of July 22, 2004, by Mr. DOMENICI, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To adjust the boundary of the Barataria Preserve Unit of the Jean Lafitte National Historical Park and Preserve in the State of Louisiana, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Jean Lafitte National
3 Historical Park and Preserve Boundary Adjustment Act
4 of 2004”.

5 **SEC. 2. JEAN LAFITTE NATIONAL HISTORICAL PARK AND**
6 **PRESERVE BOUNDARY ADJUSTMENT.**

7 (a) IN GENERAL.—Section 901 of the National Parks
8 and Recreation Act of 1978 (16 U.S.C. 230) is amended
9 in the second sentence by striking “twenty thousand acres
10 generally depicted on the map entitled ‘Barataria Marsh
11 Unit-Jean Lafitte National Historical Park and Preserve’
12 numbered 90,000B and dated April 1978,” and inserting
13 “23,000 acres generally depicted on the map entitled
14 ‘Boundary Map, Barataria Preserve Unit, Jean Lafitte
15 National Historical Park and Preserve’, numbered 467/
16 ~~81000~~ 80100, and dated August 2002,”.

17 (b) ACQUISITION OF LAND.—Section 902 of the Na-
18 tional Parks and Recreation Act of 1978 (16 U.S.C. 230a)
19 is amended—

20 (1) in subsection (a)—

21 (A) by striking “(a) Within the” and all
22 that follows through the first sentence and in-
23 serting the following:

24 “(a) IN GENERAL.—

25 “(1) BARATARIA PRESERVE UNIT.—

“(A) IN GENERAL.—The Secretary may acquire any land, water, and interests in land and water within the boundary of the Barataria Preserve Unit, as depicted on the map described in section 901, by donation, purchase with donated or appropriated funds, transfer from any other Federal agency, or exchange.

“(B) LIMITATIONS.—With respect to the areas on the map identified as ‘Bayou aux Carpes Addition’ and ‘CIT Tract Addition’—

“(i) any Federal land acquired in the areas shall be transferred to the administrative jurisdiction of the National Park Service; and

“(ii) any private land in the areas may be acquired by the Secretary only with the consent of the owner of the land.”;

“(B) LIMITATIONS.—

“(i) IN GENERAL.—With respect to the areas on the map identified as ‘Bayou aux Carpes Addition’ and ‘CIT Tract Addition’—

“(I) any Federal land acquired in the areas shall be transferred without consideration to the administrative ju-

1 *isdiction of the National Park Service;*
 2 *and*

3 “(II) *any private land in the*
 4 *areas may be acquired by the Sec-*
 5 *retary only with the consent of the*
 6 *owner of the land.*

7 “(ii) *EASEMENTS.—Any Federal land*
 8 *in the area identified on the map as ‘CIT*
 9 *Tract Addition’ that is transferred under*
 10 *clause (i)(I) shall be subject to any ease-*
 11 *ments that have been agreed to by the Sec-*
 12 *retary and the Secretary of the Army.’;*

13 (B) in the second sentence, by striking
 14 “The Secretary may also” and inserting the fol-
 15 lowing:

16 “(2) *FRENCH QUARTER.—The Secretary may*”;

17 (C) in the third sentence, by striking
 18 “Lands, waters, and interests therein” and in-
 19 serting the following:

20 “(3) *ACQUISITION OF STATE LAND.—Land,*
 21 *water, and interests in land and water*”; and

22 (D) in the fourth sentence, by striking “In
 23 acquiring” and inserting the following:

24 “(4) *ACQUISITION OF OIL AND GAS RIGHTS.—*
 25 *In acquiring*”;

1 (2) by striking subsections (b) through (f) and
2 inserting the following:

3 “(b) RESOURCE PROTECTION.—With respect to the
4 land, water, and interests in land and water of the
5 Barataria Preserve Unit, the Secretary shall preserve and
6 protect—

7 “(1) fresh water drainage patterns;

8 “(2) vegetative cover;

9 “(3) the integrity of ecological and biological
10 systems; and

11 “(4) water and air quality.”; and

12 (3) by redesignating subsection (g) as sub-
13 section (c).

14 (c) HUNTING, FISHING, AND TRAPPING.—Section
15 905 of the National Parks and Recreation Act of 1978
16 (16 U.S.C. 230d) is amended in the first sentence by
17 striking “within the core area and on those lands acquired
18 by the Secretary pursuant to section 902(c) of this title,
19 he” and inserting “the Secretary”.

20 (d) ADMINISTRATION.—Section 906 of the National
21 Parks and Recreation Act of 1978 (16 U.S.C. 230e) is
22 amended—

23 (1) by striking the first sentence; and

1 (2) in the second sentence, by striking “Pend-
 2 ing such establishment and thereafter the” and in-
 3 serting “The”.

4 **SEC. 3. REFERENCES IN LAW.**

5 (a) IN GENERAL.—Any reference in a law (including
 6 regulations), map, document, paper, or other record of the
 7 United States—

8 (1) to the Barataria Marsh Unit shall be con-
 9 sidered to be a reference to the Barataria Preserve
 10 Unit; or

11 (2) to the Jean Lafitte National Historical
 12 Park shall be considered to be a reference to the
 13 Jean Lafitte National Historical Park and Preserve.

14 (b) CONFORMING AMENDMENTS.—Title IX of the
 15 National Parks and Recreation Act of 1978 (16 U.S.C.
 16 230 et seq.) is amended—

17 (1) by striking “Barataria Marsh Unit” each
 18 place it appears and inserting “Barataria Preserve
 19 Unit”; and

20 (2) by striking “Jean Lafitte National Histor-
 21 ical Park” each place it appears and inserting “Jean
 22 Lafitte National Historical Park and Preserve”.

Calendar No. 681

108TH CONGRESS
2D Session

S. 2287

[Report No. 108-325]

A BILL

To adjust the boundary of the Barataria Preserve
Unit of the Jean Lafitte National Historical
Park and Preserve in the State of Louisiana, and
for other purposes.

AUGUST 25, 2004

Reported with amendments